

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1 6	
2. AMENDMENT/MODIFICATION NO. 0003		3. EFFECTIVE DATE 28-Aug-2002		4. REQUISITION/PURCHASE REQ. NO. W16ROE-2144-1065		5. PROJECT NO.(If applicable)	
6. ISSUED BY USA ENGINEER DISTRICT, NEW YORK ATTN: CENAN-CT ROOM 1843 26 FEDERAL PLAZA (DACA51) NEW YORK NY 10278-0090		CODE DACA51		7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				<input checked="" type="checkbox"/> 9A. AMENDMENT OF SOLICITATION NO. DACA51-02-R-0022			
				<input checked="" type="checkbox"/> 9B. DATED (SEE ITEM 11) 03-Jul-2002			
				10A. MOD. OF CONTRACT/ORDER NO.			
				10B. DATED (SEE ITEM 13)			
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The purpose of this amendment is to state following : 1) The Revised Final Proposal documents are due on 6 September 2002 at 12:00 PM to the same location and person as the original proposals. 2) The Revised Final Proposal documents are limited to 30 pages excluding catalog cuts, drawings, small business plan and price proposals. Price proposals shall be in a separate binder. 3) A New Bid schedule: In the event the final revised price changes, the offeror shall complete the attached bid schedule/pricing sheet. 4) Changes to technical specifications. NOTE: Bidders must acknowledge receipt of this amendment by the date specified in the solicitation (or as amended) by one of the following methods: In the space provided on the SF 1442, by separate letter, or by telegram, or by signing the block 15 below. FAILURE TO ACKNOWLEDGE AMENDMENTS BY THE DATE AND TIME SPECIFIED MAY RESULT IN REJECTION OF YOUR BID IN ACCORDANCE WITH THE LATE BID, LATE MODIFICATIONS OF BIDS OR LATE WITHDRAWAL OF BIDS (FAR 14.304) Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED 28-Aug-2002	

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

STANDARD FORM 30 (Rev. 10-83)
Prescribed by GSA
FAR (48 CFR) 53.243

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:
AMENDMENT #0003

1. The following specification sections are included as part of this Amendment:

SECTION 00010, Replace the bid schedule with the following:

SOLICITATION CONTRACT FORM

Item No.	Supplies/Services	Quantity	Unit	Unit Price	Amount
0001		1.00	Lump Sum		
	Design Services All work to design the Hazardous Material Storage Facility				
				NET AMT	<hr/>

Item No.	Supplies/Services	Quantity	Unit	Unit Price	Amount
0002		1.00	Lump Sum		
	Complete project construction costs All work to construct the Hazardous Material Storage Facility				
				NET AMT	<hr/>

Item No.	Supplies/Services	Quantity	Unit	Unit Price	Amount
0003		1.00	Lump Sum	\$60,000.00	
	Project Punch list Any punch list items developed at time of pre-final inspection				

(This is above and beyond items previously identified, these funds will not be released until all identified items are complete and the facility is deemed ready for final inspection by an Contracting Officer Representative)

NET AMT _____

Item No.	Supplies/Services	Quantity	Unit	Unit Price	Amount
0004		1.00	Lump Sum	\$20,000.00	

As-Built drawings per the 00800 Section for Hazardous Material Storage Facility
(No partial Payments will be provided until final acceptance of this item)

NET AMT _____

TOTAL BASE BID (0001-0004) _____

Item No.	Supplies/Services	Quantity	Unit	Unit Price	Amount
0005	Additive 1	1.00	Lump Sum		

Design Services and complete construction costs
 All work to design and execute the installation of heat recovery system

NET AMT _____

TOTAL BASE BID (0001 - 0005) _____

** PRICES SHOULD INCLUDE ALL BONDS AND PROFIT _____

This solicitation contains a Base Bid and Additive Item. The Base Bid includes line items 0001 through 0004. The additive item includes line item 0005. All work is to be accomplished in accordance with the specification and the drawings listed for this solicitation.

NOTICE TO BIDDERS

Failure of the bidder to
Acknowledge receipt of
this Amendment in
Item 19 of Standard Form
1442 (Pg. 00010-2) may
result in REJECTION of
the bid.

RFP NO. DACA51-02-R-0022

Amendment No. 3

Department of the Army, NYD
Corps of Engineers
New York, NY 10278-0090

**AMENDMENT NO.3 TO SPECIFICATIONS ISSUED 3 JULY 2002 FOR
HAZARDOUS MATERIAL STORAGE FACILITY, FORT DRUM, NEW YORK**

TO BIDDER

1. General Note: Offerors are advised that discussions are hereby concluded. The Government intends to make an award without further discussions. Via this amendment, offerors are provided an opportunity to submit a final proposal revision. Final proposal revisions shall be in writing.
2. For Information Only. The Safety Officer, as required in Section 01421, Paragraph 4.0, can perform other duties.
3. Make the Following Changes in the Specifications.

Section 00010, Replace Line items 0003 and 0004 as follows:

The following prices are established by the Government and are not to be changed or modified.

0003 Project Punch list – Any punch list items
developed at time of pre-final inspection
(This is above and beyond items previously
identified, these funds will not be released
until all identified items are complete and
the facility is deemed ready for final inspection
by an Contracting Officer Representative)

Lump Sum \$60,000.00

0004 As-Built drawings per the 00800 Section for
Hazardous Material Storage Facility (No
partial Payments will be provided until
final acceptance of this item)

Lump Sum \$20,000.00

Section 01010, Paragraph 3.6, revise the paragraph as follows:

“3.6 **Pavement Design**: Asphalt pavement shall consist of the following:

38mm Bituminous Top Course (NYSDOT Item #403.170, Type 7f)
63mm Bituminous Binder Course (NYSDOT Item #403.14, Type 3)
76mm Granular Base (NYSDOT Item #304, Type 2)
254mm Granular Fill Subbase**

** The Granular Fill meeting the following gradation:

Sieve Size	Percent Passing
101.6 mm	100 %
6.35 mm	35-65 %
0.75 mm	0-10%

This pavement design shall be confirmed by the analysis of the soils data for this project site. Any deviations to the pavement composition and thickness shall be presented in a report with supporting calculations to the Contracting Officer for review and approval."

Section 01012, Paragraph 3.0, in the first sentence delete the following: "preliminary (30%) and "

Section 01012, Paragraph 3.0, in the last sentence delete the word "30%, "

Section 01012, Paragraph 3.1, Delete the entire paragraph.

Section 01012, Paragraph 3.2, Revise the paragraph as follows.

"Review Submittal (60%) The review of this submittal is primarily to insure that the contract documents are proceeding in a timely manner and that the design criteria is being correctly included. The submittal shall consist of the following:

1. Design analysis, in support of the submitted documents.
 2. 60% complete drawings.
 3. Draft specifications on all items of work.
 4. Environmental permit applications which are to be submitted to Corps for processing.
- When environmental permits are not required, the Contractor shall provide a statement with justification to that effect. "

Section 01012, Paragraph 4.1, in the second sentence delete the word "30%, "

Section 01012, Paragraph 7.2, in the first sentence delete the following: "30% and"

Section 01012, Paragraph 12.1 thru 12.1.13 shall be deleted in its entirety.

Section 01330, Delete the section in its entirety, and insert attached Section "01330 – SUBMITTAL PROCEDURES DESIGN/BUILD CONSTRUCTION"

Section 01525, Paragraph 1.3, delete the following sentence "Health and Safety Plan (HASp); G"

Section 01525, Paragraph 1.4.4.3, delete the entire paragraph.

Section 01525, Paragraph 1.7 thru 1.7.2 shall be deleted in its entirety.

4. This Amendment shall be attached to the specifications and shall be a part thereof.

ELLA SNELL
CONTRACTING OFFICER
C, CONTRACTING DIVISION

(End of Summary of Changes)

SECTION 01330
SUBMITTAL PROCEDURES
DESIGN/BUILD CONSTRUCTION
NY Dist Rev.6/01

PART 1 - GENERAL

1.1 SUMMARY

This section covers procedures to be used in making submittals for construction. The Contractor's Quality Control Representative shall coordinate and control submittals.

1.1 SUBMITTAL CLASSIFICATION

Submittals are classified as follows:

1.1.1 Design Submittals

Administrative Contracting Officer review is required for all design. The Government will review all 60% and 95% design submittals for conformance with the technical requirements of the solicitation. Section 01012, Design After Award, covers the design submittal and review process in detail.

1.1.2 Construction Submittals

1.1.2.1 Submittal Definitions

The submittals described below are those required and further described in other sections of the specifications. Submittals required by the CONTRACT CLAUSES and other non-technical parts of the contract are not included in this section.

SD-01 Data

Work to be Performed by Contractor

Submittal Registers

Submittals which provide calculations, descriptions, or documentation regarding the work.

SD-04 Drawings

Submittals which graphically show relationship of various components of the work, schematic diagrams of systems, details of fabrication, layouts of particular elements, connections, and other relational aspects of the work.

As-Built Drawings

Equipment Layout Drawings

SD-06 Instructions

Preprinted material describing installation of a product, system or material, including special notices and material safety data sheets, if any, concerning impedances, hazards, and safety precautions.

SD-07 Schedules

Progress Schedules

Schedules for Construction Contracts

Contractor Prepared Network Analysis

Tabular lists showing location, features, or other pertinent information regarding products, materials, equipment, or components to be used in the work.

SD-08 Statements

Accident Prevention Plan

Hazard Analysis Plan

Environmental Protection Plan

Submittal Procedures

A document, required of the Contractor, or through the Contractor, from a supplier, installer, manufacturer, or other lower tier Contractor, the purpose of which is to confirm the quality or orderly progression of a portion of the work by documenting procedures, acceptability of methods or personnel, qualifications, or other verifications of quality.

SD-09 Reports

Reports of inspections or tests, including analysis and interpretation of test results. Each report shall be properly identified. Test methods used shall be identified and test results shall be recorded.

SD-13 Certificates

Statements signed by responsible official of a manufacturer of a product, system or material, attesting that the product, system or material meets specified requirements.

SD-14 Samples

Samples including both fabricated and unfabricated physical examples of products, and units of work as complete units or as portions of units of work.

SD-18 Records

Documentation to record compliance with technical or administrative requirements.

SD-19 Operation and Maintenance Manuals

Data which forms a part of an operation and maintenance manual.

1.1.2.2 Designer of Record Approval.

Designer of Record approval is required for extensions of design, critical materials, any deviations from the solicitation, the accepted proposal, or the completed design, equipment whose compatibility with the entire system must be checked, and other items as designated by the Contracting Officer's Representative. Within the terms of the Contract Clause entitled "Specifications and Drawings for Construction", they are considered to be "shop drawings". The Contractor shall also provide the Government the number of copies designated hereinafter of all Designer of Record approved submittals. The Government may review any or all Designer of Record approved submittals for conformance to the Solicitation and Accepted Proposal. The Government will review all submittals designated as deviating from the Solicitation or Accepted Proposal, as described below.

1.1.2.3 Government Approved Construction Submittals.

Administrative Contracting Officer approval is required for any deviations from the Solicitation or Accepted Proposal and other items as designated by the Contracting Officer's Representative. Within the terms of the Contract Clause entitled "Specifications and Drawings for Construction", they are considered to be "shop drawings".

1.1.2.4 Government Reviewed Extension of Design.

Government review is required for extension of design construction submittals, used to define contract conformity, and for deviation from the completed design. Review will be only for conformance with the contract requirements. Included are only those construction submittals for which the Designer of Record design documents do not include enough detail to ascertain contract compliance. Government review is not required for extensions of design such as structural steel or reinforcement shop drawings.

1.1.2.5 Information Only.

All submittals not requiring Designer of Record or Government approval will be for information only. They are not considered to be "shop drawings" within the terms of the Contract Clause referred to above.

1.2 GOVERNMENT REVIEWED OR "APPROVED" SUBMITTALS

The Contracting Officer's Representative conformance review or approval of submittals shall not be construed as a complete check, but will indicate only that the design, general method of construction, materials, detailing and other information appear to meet the Solicitation and Accepted Proposal. Government Review or approval will not relieve the Contractor of the responsibility for any error which may exist, as the Contractor, under the Design and CQC requirements of this contract, is responsible for design, dimensions, all design extensions, such as the design of adequate connections and details, etc., and the satisfactory construction of all work. After submittals have been reviewed for conformance or approved, as applicable, by the Contracting Officer's Representative, no resubmittal for the purpose of substituting materials or equipment will be considered unless accompanied by an explanation of why a substitution is necessary.

1.3 DISAPPROVED SUBMITTALS

The Contractor shall make all corrections required by the Contracting Officer's Representative, obtain the Designer of Record's approval, when applicable, and promptly furnish a corrected submittal in the form an number of copies specified for the initial submittal. Any "information only" submittal found to contain errors or unapproved deviations from the Solicitation or Accepted Proposal shall be resubmitted as one requiring "approval" action, requiring both Design of Record and Government approval. If the Contractor considers any correction indicated by the Government on the submittals to constitute a change to the contract, it shall promptly provide a notice in accordance with the Contract Clause "Changes" to the Contracting Officer's Representative.

1.4 WITHHOLDING OF PAYMENT

No payment for materials incorporated in the work will be made if all required Design of Record or required Government approvals have not been obtained. No payment will be made for any materials incorporated into the work for any conformance review submittals or information only submittals found to contain errors or deviations from the Solicitation or Accepted Proposal.

PART 2 - PRODUCTS

2.1 DESIGN SUBMITTALS

The Contractor shall make design submittals in accordance with Section 01012 entitled "DESIGN AFTER AWARD".

2.2 CONSTRUCTION SUBMITTALS

2.2.1 General

The Contractor shall make submittals as required by the specifications. The Contracting

Officer's Representative may request submittals in addition to those specified when deemed necessary to adequately describe the work covered in the respective sections. Units of weights and measures used on all submittals shall be the same as those used in the contract drawings. Each submittal shall be complete and in sufficient detail to allow ready determination of compliance with contract requirements. Prior to submittal, the Contractor's Quality Control (CQC) representative, and the Designer of Record, as applicable, above shall check, approve and stamp, sign, and date each item, indicating action taken. Proposed deviations from the contract requirements shall be clearly identified. Submittals shall include items such as: Contractor's, manufacturer's, or fabricator's drawings; descriptive literature including (but not limited to) catalog cuts, diagrams, operating charts or curves; test reports; test cylinders; samples; O&M manuals (including parts list); certifications; warranties; and other such required submittals. Submittals requiring Government approval shall be scheduled and made prior to the acquisition of the material or equipment covered thereby. Samples remaining upon completion of the work shall be picked up and disposed of in accordance with manufacturer's Material Safety Data Sheets (MSDS) and in compliance with existing laws and regulations.

2.2.2 Submittal Register (ENG Form 4288)

The Contractor's Designer(s) of Record shall develop a complete list of submittals during design. The Designer of Record shall identify required submittals in the specifications and shall use the list to prepare ENG Form 4288 Submittal Register or a computerized equivalent which shall be submitted with the 95% design submittal. The list may not be all inclusive and additional submittals may be required by other parts of the contract. The Contractor is required to complete ENG Form 4288 (including columns "a" through "r") and submit to the Contracting Officer for approval within 30 calendar days after approved date of beginning of construction. The approved submittal register will serve as a scheduling document for submittals and will be used to control submittal actions throughout the contract period. The submit dates and need dates used in the submittal register shall be coordinated with dates in the Contractor prepared progress schedule. Updates to the submittal register showing the Contractor action codes and actual dates with Government action codes and actual dates shall be submitted monthly or until all submittals have been satisfactorily completed. When the progress schedule is revised, the submittal register shall also be revised and both submitted for approval.

2.2.3 Scheduling

Contractor shall schedule those submittals covering component items forming a system or items that are interrelated to be coordinated and submitted concurrently. Also, schedule Certifications to be submitted with the pertinent drawings. Allow adequate time (a minimum of 30 calendar days exclusive of mailing time) and indicate on the register for Government review or approval. No delay damages or time extensions will be allowed for time lost in late submittals.

2.2.4 Transmittal Form (ENG Form 4025)

The sample transmittal form (ENG Form 4025) attached to this section shall be for transmitting both Government approved and information only submittals in accordance with the instructions on the reverse side of the form. The Government will furnish blank forms to the Contractor. Properly complete this form by filling out all the heading blank spaces and identifying each item submitted. Exercise special care to ensure proper listing of the specification paragraph and/or sheet number of the contract drawings pertinent to the data submitted for each item.

2.2.5 Submittal Procedure

Make submittals as follows:

2.2.5.1 Procedures

At the Quality Control Coordination meeting, or preconstruction conference, the Contractor shall ascertain the name and address of each individual, agency, or firm who is designated to normally receive items for approval, for information or samples. The contractor shall complete ENG Form 4025, entering each item requiring a separate approval action as a separate item on the form, for each transmittal. A transmittal may consist of one or more 4025 sheets. The transmittal, consisting of ENG Form 4025 plus all applicable submittals, is then sent to the appropriate individual. On critical items the Contractor is encouraged to confirm receipt via telephone. The Contractor shall to the Government four copies of submittals for approval or conformance review and one for items for information.

2.2.5.2 Deviations

On submittals for which the Contractor requests proposed deviations, check the column "variation" of ENG Form 4025. The Contractor shall set forth in writing the reason for any deviations and annotate such deviations on the submittal. As stated above, the Contractor's Designer of Record's approval is required for any proposed deviation. The Government reserves the right to rescind inadvertent approval of submittals containing unnoted deviations.

2.2.6 Control of Submittals

The Contractor shall carefully control its procurement operations to ensure that each individual submittal is made on or before the Contractor scheduled submittal date shown on the approved "Submittal Register" so the material needed date is complied with.

2.2.7 Government Conformance Review and Approved Submittals

Upon completion of review of submittals requiring Government approval, the Government will identify the submittals as having received approval by so stamping and dating. The Contracting Officer's Representative will retain 2 copies of the submittal and return 2 copies of the submittal to the Contractor. If the Government performs a conformance review of other Designer of Record approved submittals, the submittals will be so identified

and returned, as described above.

2.2.8 Information Only Submittals

Normally the Government will not return submittals for information only. No action of the Contracting Officer's Representative is required on information only submittals. This does not relieve the Contractor from the obligation to furnish material conforming to the plans and specifications and will not prevent the Contracting Officer's Representative from requiring removal and replacement of nonconforming material incorporated in the work; and does not relieve the Contractor of the requirement to furnish samples for testing by the Government laboratory or for check testing by the Government in those instances where the technical specifications so prescribe.

2.2.9 Stamps

Stamps used by the Contractor's Designer of Record and the Contractor's designed Quality Control person on the submittal data to certify that the submittal meets contract requirements shall be similar to the following (use two stamps for submittals reviewed by both):

CONTRACTOR	
(Firm Name)	
___	Approval
___	Approval with corrections as noted on
___	submittal data and /or attached sheet(s)
SIGNATURE: _____	
TITLE:	<u>(DESIGNER OF RECORD)</u>
DATE:	_____